

## **REMARKS**

The present Amendment amends claims 1-54. Therefore, the present application has pending claims 1-54.

Claim 18 stand rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as their invention. Various amendments were made throughout claim 18 to bring it into conformity with the requirements of 35 USC §112, second paragraph. Therefore, this rejection with respect to claim 18 is overcome and should be withdrawn.

Specifically, amendments were made throughout claim 18 to overcome the objections noted by the Examiner in the Office Action.

Claims 1-12, 15-39 and 42-54 stand rejected under 35 USC §103(a) as being unpatentable over Applicants' alleged admitted prior art in view of Tingley (U.S. Patent No. 6,708,211) and further in view of Ohkura (U.S. Patent No. 6,128,009); and claims 13, 14, 40 and 41 stand rejected under 35 USC §103(a) as being unpatentable over Applicants' alleged admitted prior art in view of Tingley and further in view of Ohkura and further in view of Middleton (WO 99/13423). These rejections are traversed for the following reasons. Applicants submit that the features of the present invention as now recited in claims 1-54 are not taught or suggested by Applicants' alleged admitted prior art, Tingley, Ohkura or Middleton whether taken individually or in combination with each other as suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw these rejections.

Amendments were made to the claims to more clearly describe features of the present invention as recited in the claims. Particularly, amendments were made to the claims to recite that the present invention is directed to a computer to be remotely controlled from a distant control computer through a network and a remote operation history recording method for use in a computer network system in which one of a plurality of computers is used as a control computer for conducting remote operation of another computer to be a remotely controlled computer.

According to the present invention the computer is remotely controlled from the distant control computer through the network. The computer includes means for receiving a remote operation message relating to software being executed by the computer from the distant control computer through the network, means for extracting remote operation input information from the received remote operation message, and entering the remote operation input information into an operating system of the computer to cause the software to perform a particular function, and history recording means for recording the remote operation input information at the computer being remotely controlled by the distant control computer in response to the remote operation input information as remote control history data.

Further, according to the present invention the remote operation history recording method can be used in a computer network system in which one of a plurality of computers is used as a control computer for conducting remote operation of another computer to be a remote controlled computer.

The method includes sending a remote operation message relating to software being executed by the computer from said control computer to said

remote controlled computer, extracting remote operation input information from the remote operation message received by the remote controlled computer to cause the software to perform a particular function, and executing a program operation at the remote controlled computer according to the extracted remote operation input information upon input of the remote operation message into an operating system of said remote controlled computer, storing, as operation history data, event information generated according to the remote operation input information at the remote controlled computer, sending a message indicating the results of causing the software to perform the particular function from the remote controlled computer to the control computer, and storing, as operation history data, event information indicating the results of the program operation at the remote controlled computer.

The above described features of the present invention now more clearly recited in the claims are not taught or suggested by any of the references of record whether taken individually or in combination with each other. Particularly, the above described features of the present invention as now more clearly recited in the claims are not taught or suggested by Applicants' alleged admitted prior art, Tingley, Ohkura or Middleton whether taken individually or in combination with each other as suggested by the Examiner.

In the Office Action the Examiner readily admits that Applicants' alleged admitted prior art does not explicitly teach the history recording means for recording the remote operation input at the computer being controlled by the distant control computer as recited in the claims. The Examiner attempts

to supply these deficiencies by combining Applicants' alleged admitted prior art with Tingley, Ohkura or Middleton. However, Applicants submit that the teachings of Tingley, Ohkura and/or Middleton do not in supply any of the deficiencies of Applicants' alleged admitted prior art as alleged by the Examiner.

Further, in the Office Action the Examiner readily admits that Applicants' alleged admitted prior art does not explicitly teach "the history recording means for recording the remote operation input information at the computer being remotely controlled by the distant control computer", which is the most important subject matter of the present invention.

Tingley intends to track, record and control the use of company-owned computer applications so that management personnel can control the use of company-owned technology in a non-invasive manner. In the Summary Of The Invention section Tingley proposes checking a set of characters and values in a memory area of a computer unit (operated by a user), capturing each set of characters and values to determine each state activated by the user which corresponds to a Windows frame state, a dialog box state or keyboard buffer state, writing each set of captured characters and values in a real-time ASC command signal file, and transmitting the ASC command signal file to a second computer unit that allows management personnel to view the current operations of all network users simultaneously.

The second computer unit, not the computer unit being remotely controlled, as taught by Tingley allows for further processing so that information relating to each state activated by each network user may be

viewed and further analyzed at a later date. Attention is directed to col. 1, line 62 to col. 2, line 20 of Tingley.

Tingley, further proposes, to transfer a user profile from an administrator computer unit to a user computer unit to control the computer environment of a user of the client computer unit so that a user lock application stored in the client computer unit is initiated by the user profile to halt user activity if the activity of the user violates the user profile.

According to the present invention as recited in the claims, the remote controlled computer has history recording means for recording the remote operation input information at the remote controlled computer as remote control history data. Using the remote control history data, the user of the remote controlled computer can check the details of remote operations conducted by another person from the control computer at the remote controlled computer.

On the contrary, an object of Tingley is to monitor the user operations carried out on the client computer unit at the administrator computer unit or second computer unit. Tingley proposes to transfer the user operations in the form of a real-time ASC command signal file to the administrator computer unit and to store the file at the administrator computer unit, thereby to analyze the user's activity later.

In Tingley's, network configuration, the client computer unit does not correspond to the remote controlled computer of the present invention as recited in the claims, because the client computer unit does not receive remote operation input information (or a remote operation message) from a control computer, that is to be entered into an operating system, and the client

computer unit does not record the remote operation input information at the client computer as remote control history data as in the present invention as recited in the claims.

Thus, Tingley, the same as Applicants' alleged admitted prior art, fails to teach or suggest a computer to be remotely controlled from a distant control computer through a network, wherein the distant control computer remotely controls the computer through the network and wherein the computer includes means for extracting remote operation input information relating to software being executed by the computer from the received remote operation message, and entering the remote operation input information into an operating system of the computer to cause the software to perform a particular function as recited in the claims.

Further, Tingley, the same as Applicants' alleged admitted prior art, fails to teach or suggest that the computer includes history recording means for recording the remote operation input information at the computer being remotely controlled by the distant control computer in response to the remote operation input information as remote control history data as recited in the claims.

In the Office the Examiner alleges that Ohkura teaches the above subject matter of the present invention of history recording means for recording the remote operation input information at the computer being remotely controlled by the distant control computer by referring to the teaching in Ohkura regarding the storing of favorite program data (past programs) 24G shown in Figs. 3 and 4 thereof.

Ohkura proposes a program guide control apparatus to be used in a remote controllable digital TV set. The program guide control apparatus is used to control the display of program table picture as shown in Figs. 7a-9a. For example, indicating the scheduling of respective programs of available broadcasting channels of a display unit of TV set. In this Ohkura a user can select one of broadcast programs from a program table picture displayed on the display unit of TV set, by operating a remote controller 14A shown in Fig. 6, which corresponds to an operation section 14 shown in Fig. 3. As described in the third paragraph of col. 6, the favorite program data (past programs) 24G is "data relating to favorite program in which viewing frequency of user is high".

Ohkura describes in col. 24, that when the program guide control apparatus is turned ON, a CPU 21 executes processing shown in Fig. 16 whereby programs considered to be favorite for user are automatically registered (as favorite program data). In the processing shown in Fig. 16, the CPU 21 detects a user's favorite program at step S64, by judging the ratio of viewing time of a specific program with respect to the entire broadcast time length of the program. The CPU 21 recognizes that the user has carried out viewing of the specific program when the ratio is equal to or more than the predetermined value, then the CPU 21 registers the specific program as favorite program at step S66.

The item of the favorite program is provided in the area 25Z of the program table picture as described in the last paragraph of col. 23. Further, as apparent from claim 5, Ohkura displays the program table picture to generate

genre information including a program selected based on the past record information as one of the available genres.

In the flowchart of Fig. 16, however, it should be noted that the CPU 21 recognizes upon detecting that the ratio is less than the predetermined value that the user selects the specific program in the course where the user merely switches the channel for searching favorite program and excludes it from programs to be registered as favorite program. (See col. 24, line 49-61).

When the user repeats channel select operations while viewing the displayed programs at random interval depending on the displayed contents of the program. Ohkura records specific one of programs that the CPU 21 selects as the favorite programs based on the value of the above described ratio. In this case, the other programs each selected temporary by the user operations in similar to the specific program are excluded from the registration objects. That is, Ohkura's favorite program data 24G does not correspond to the history recording of the present invention because the favorite program data 24G cannot reproduce the history of user's operations, but can display only specific genre information indicative user's favorite programs that is searched by repeating a number of user operations and finally specified by one of user operations that resultantly satisfies a predetermined registering condition (time ratio).

Ohkura's program guide control apparatus does not correspond to the computer of the present invention because the program guide control apparatus does not provide with "means for extracting remote operation input information relating to software of the computer from the received remote



operation message, and entering the remote operation input information into an operating system of the computer”.

Further, Ohkura's remote controller does not correspond to the distant control computer of the present invention because the remote controller does not send a remote operation message that includes remote operation input information relating to software of the computer to be entered into the operating system of the computer.

Although the Examiner judges that it is easy to apply the Ohkura's favorite program data to Applicants' alleged admitted prior art so as to be the structure of the present invention, this judgment lacks reasonable basis because Applicants' alleged admitted prior art already stores operation history data on the control computer side and the control computer itself has no reason to move the operation history data.

It is advantageous as in the present invention to change the storage location of remote operation history data from a distant control computer to a remote controlled computer because the user of the remote controlled computer can check the remote operation history at any time on the display of his or her computer.

Ohkura does not teach or suggest that the location of the favorite program data should be moved from the remote controller to the display of the controlled side as in the present invention. Further, Ohkura's remote controller transmits key operation signals, but the information to be stored as the favorite program data is not the key operation signals or input information extracted from the key operation signals. That is, Ohkura does not teach or suggest recording of operation input information transmitted in the form of

remote operation message from remote controller into a storage of remote controlled apparatus as operation history data.

Even beyond the above applicants invention is directed to software being executed by the controlled computer. Ohkura is directed to the organizing of information regarding television programs. Television programs are non-function data, whereas the present invention makes use of software, function data, that is being executed by the controlled computer. Such features are clearly not taught or suggested by Ohkura.

Therefore, since each of Applicants' alleged admitted prior art, Tingley and Ohkura fails to teach or suggest the features of the present invention as now recited in the claims, the combination of Applicants' alleged admitted prior art, Tingley and Ohkura does not render obvious the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 1-12, 15-39 and 42-54 as being unpatentable over Applicants' alleged admitted prior art in view of Tingley is respectfully requested.

The above described deficiencies of Applicants' alleged admitted prior art, Tingley, and Ohkura are not supplied by Middleton. Middleton intends to make it possible for advertisers on Web pages to find a way to more precisely gauge a user's interest in a product, as well as to entice those users who are casually browsing through the World Wide Web, without actually requiring users to download the advertiser's Web page. Attention is directed to page 3, lines 10-17 of Middleton.

Middleton describes at page 6, lines 16-30 that:

"the client computers 20 allow a user to view Web  
paggers 16 by downloading replica Web page files  
40 to the client computer 20a from the server  
computer 12a over communication media 14. The

Web page files 40 enable replication of the Web page 16 on the client computer 20a. The downloading function is specifically performed by browser program 28, which preferably includes browser program software. These browser programs include and/or permit the use of embedded interpretive language 30, such as Java, that may execute programs that are included in the Web page file 16".

Middleton further describes at page 7, line 27 through page 28, line 9 that:

"in accordance with the present invention, the Java code 44 includes an applet program and data for tracking and logging the activities of the user in memory 24 while the user is viewing the Web page replica 40. The applet program 44 therefore permits the authors of the advertisement 39 to better understand how the users interest with the Web page advertisement in order to provide more attentive advertisement. Once the Web page replica 40 begins to display, the applet 44 also begins to execute in order to track and/or log user activities as they relate to various parts or objects of the advertisement 39)".

As per the above, the flowchart of FIG.2 of Middleton, the applet program 44 collects log information (activity log 60) indicating user activities on the display detected before a user clicks a mouse to download a different Web page, such a mouse hover, a cursor location, elapsed time, etc.

In Middleton, the applet program 44 sends the activity log 60 from a local memory 24 to a server 12b at certain times. The server 12b is associated with the advertiser and may be the same server 12a from which the Web page 46 was originally downloaded. The activity log is preferably sent to the server 12h via a dummy HTTP GET message sent via a back

channel to the server 12b at the time that the user leaves the present page

40. Attention is directed to page 10, line 27 to page 11, lines 6 of Middleton.

Accordingly, Middleton states at page 11, lines 22-27 that:

“what is important is that the logged interaction data is eventually flushed to the server 12b, so that the author of the advertisement 39 may occasionally check on the collection 62 of activity logs stored at the server 12b and analyze the data in order to determine the effectiveness of the advertisement 39”.

Since Middleton regards a client-server system, the client computer 20a on which the applet program runs acts as a control computer, and the Web server acts as a remote controlled computer. In this case, the dummy HTTP GET message including the activity log, that is sent from the client computer (control computer) to the Web server 12a (or server 12b) and stored in the server, corresponds to neither the remote operation message including remote operation input information to be sent from a control computer to a remote controlled computer in the present invention, nor the message indicating the results of execution of the program operation in the present invention.

Thus, Middleton, the same as Applicants' alleged admitted prior art and Tingley, fails to teach or suggest a computer to be remotely controlled from a distant control computer through a network, wherein the distant control computer remotely controls the computer through the network and wherein the computer includes means for extracting remote operation input information relating to software being executed by the computer from the received remote operation message, and entering the remote operation input

information into an operating system of the computer to cause the software to perform a particular function as recited in the claims.

Further, Middleton, the same as Applicants' alleged admitted prior art and Tingley, fails to teach or suggest that the computer includes history recording means for recording the remote operation input information at the computer being remotely controlled by the distant control computer in response to the remote operation input information as remote control history data as recited in the claims.

Therefore, since each of Applicants' alleged admitted prior art, Tingley, Ohkura and Middleton fails to teach or suggest the same features of the present invention as recited in the claims, combining Applicants' alleged admitted prior art, Tingley, Ohkura and Middleton in the manner suggested by the Examiner in the Office Action does not render obvious the claimed invention. Accordingly, reconsideration and withdrawal of the 35 USC §103(a) rejection of claims 13, 14, 40 and 41 as being unpatentable over Applicants' alleged admitted prior art, Tingley, Ohkura and Middleton is respectfully requested.

The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references utilized in the rejection of claims 1-54.

In view of the foregoing amendments and remarks, applicants submit that claims 1-54 are in condition for allowance. Accordingly, early allowance of claims 1-54 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection

with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (520.39905X00).

Respectfully submitted,  
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.



---

Carl I. Brundidge  
Registration No. 29,621

CIB/jdc  
(703) 684-1120